

Appl. No. 10/761,985
Examiner: Tran, Thien F, Art Unit 2811
In response to the Office Action dated May 19, 2005

Date: August 16, 2005
Attorney Docket No. 10113681

REMARKS

Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority and receipt of the certified copy of the priority document. Responsive to the Office Action mailed on May 19, 2005 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

Present Status of Application

Claims 4-7 and 10-18 are withdrawn from consideration. Claims 1-3, 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Clevenger et al (U.S. Patent No. 6,399,447).

In this paper, claim 1 is amended to recite a dynamic random access memory cell layout comprising a first conductor line pair and a second conductor line pair extending along a first direction, in which each conductor line pair comprises a first conductive line and a second conductive line, and in which each conductive line comprises a gate conductive line portion and a word line portion. Support for this amendment can be found on page 3 and Fig. 3 of the application. Claims 10-18 are canceled in favor of a divisional application. Thus, on entry this amendment, claims 1-9 remain in the application.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

Rejections Under 35 U.S.C. 102(b)

Claims 1-3, 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Clevenger et al. To the extent that the grounds of the rejections may be applied to the claims now pending in this application, they are respectfully traversed.

Clevenger et al teach a method for producing a DRAM cell with a folded bitline vertical transistor. The method includes forming a mandrel, forming spacer wordline conductors on sidewalls of the mandrel, separating, by using a trim mask, adjacent spacer wordline

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conductors, and providing a contact area to contact alternating ones of pairs of the spacer wordline conductors.

Clevenger et al fail to teach or suggest a dynamic random access memory cell layout comprising a first conductor line pair and a second conductor line pair extending along a first direction, in which each conductor line pair comprises a first conductive line and a second conductive line, and in which each conductive line comprises a gate conductive line portion and a word line portion, as recited in claim 1.

To anticipate a claim, a reference must teach every element of the claim. In this regard, the Federal Circuit has held:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

- "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

As amended, claim 1 recites a dynamic random access memory cell layout in which each conductive lines comprises two conductive line portions, namely a gate conductive line portion and a word line portion. Clevenger et al fails to teach this feature.

For at least the reasons described above, it is Applicant's belief that Clevenger et al fails to teach or suggest all the limitations of claim 1. Applicant therefore respectfully requests that the rejection of claim 1 be withdrawn and the claim passed to issue. Insofar as claims 2-3 and 8-9 depend from claim 1, and therefore incorporate all of the limitations of claim 1, it is Applicant's belief that these claims are also in condition for allowance.

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Withdrawn Claims 4-7

Claim 1 is believed to remain generic after entry of the amendment set forth in this application. As noted by the Examiner, upon allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of the generic claim as provided by 37 CFR 1.141. Consideration of claims 4-7 is therefore requested.

Furthermore, insofar as claims 4-7 depend from claim 1, it is Applicant's belief that these claims are also in condition for allowance for the same reasons as discussed above.

Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so.

Respectfully submitted,



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